

MORNING APPEAL.

WEDNESDAY MARCH 5, 1879

SENATOR HAINES AND THE "LOCAL" RAILROAD BILL.

Among the noteworthy incidents of the Legislative Session which is drawing to a close the contested election case of Haines vs. Dangberg for a seat in the Senate is one of the most curious, both in and of its own peculiar history and the events which have followed the final settlement of the same. We will not recapitulate the facts and circumstances of the case as presented pro and con, but will briefly allude to the attitude occupied by Hon. J. W. Haines prior to the determination of the case by the Senate which resulted in his being awarded the seat which, with the organization of the Senate, had been occupied by Hon. H. F. Dangberg, he having presented himself to that body bearing the usual credentials.

It was reported with no little freedom that Haines' apparent defeat at the general election last Fall had been compassed through the connivance and underhand work of certain parties who are all known to bear a pretty close relation to the V. & T. R. R. Company. At all events, Haines, himself, with much show of indignation, denounced the agents and retainers of that Company as the cause of his deprivation of the sought-for Senatorial honors. He talked with much freedom to the anti-railroad men here, and left the impression upon his listeners that he felt himself betrayed by the V. & T. people, and he was not at all chary of his denunciations of their extortions as well as their perfidy. The impression made upon those who heard him while he was upon the anxious, and not in the Senatorial seat, was that if any one man in all Nevada could be relied upon to do battle for the people against the railroad monopolies, that man was Jim Haines. While the contest was progressing a communication from Carson to the *Evening Chronicle* of Virginia City appeared containing the following reference to the Haines-Dangberg contested election case:

Billy Woodburn is here to attend to Jim Haines' side of the disputed election with Dangberg, the sitting Senator (Independent) from Douglas County. They say that Haines has an invulnerable case; but it is also said that Dangberg, having been duly "fixed" to the satisfaction of the Virginia and Truckee people, by the ready agent of that company, ex-Senator Tom Riekey, the purpose is to delay any action until after it is too late for anything to be done objectionable to Messrs. Mills, Yerington, Gage, Cleveland and Company.

This squib having met Mr. Haines' eye, he was greatly pleased thereat, and called the attention of his friends thereto as a succinct statement of an important fact relating to his case. In proof that it was regarded as a truthful point in the history of the matter, Mr. Haines' partner in the Bodie telegraph line, Mr. A. C. Pratt of the *Carson Valley News*, (who appeared in the case as of counsel for Haines) copied it in his paper, approvingly.

Indeed, it is well known that no man in Carson was more fierce in his denunciations of the Virginia and Truckee Railroad Company than Mr. Haines, during the time that he was waiting the rather dilatory action of the Senate Committee on Elections.

But there seems to have come upon Mr. Haines a change of heart since Dangberg's ousting and his own seating in the Senate. On Monday, the 3d inst., Senator Boardman having called up the amended Woodburn bill, and the question being upon its engrossment, Mr. Haines was one of the twelve who voted "No" upon the motion—voted with the so-called railroad side of the Senate. This was very surprising, as showing an unlooked-for sympathy on the part of Mr. Haines with our "local" railway companies; but the surprise of his friends was still greater when, in the evening session, he introduced the bill which "reduces" the freight rate from 20 to 17 cents per ton per mile and makes a show of cutting down the passenger rates in a very delicate, considerate and infinitesimal way. Indeed, Mr. Haines seems to have suddenly become a very enthusiastic ally of the "local" railroads.

We take occasion thus to criticize Senator Haines' action because of the fact that the *MORNING APPEAL* took a somewhat conspicuous part in presenting the merits of his case and in urging his admission to the contested seat in the Senate. We vouched for him, as it were, and certainly we regarded him as an ally in our fight against the railroads. Beyond any doubt he is entitled to the seat he occupies, but if to gain votes enough to secure it he found it necessary to make terms with the interest which he looked upon as the chief cause of his comparatively light vote in Glenbrook and other precincts, he has a different manner of dealing with his enemies than we had supposed, and so soon does the volume of his indignation become cool and torpid that we are almost constrained to the suspicion that the Senator "lacks gall to make oppression bitter."

MOHAN'S PEN PICTURES.—We are indebted to Mr. Hugh J. Mohan for a copy of his "Pen Pictures"—a neat pamphlet of seventy-two pages. It is well done—for that kind of literature—and will doubtless prove interesting reading to members of the Legislature and their friends.

THE CLARKE RAILROAD BILL.

The bill which has been introduced in the Senate by Senator Powning to regulate the practices of the Central Pacific Railroad, and which is recommended to the Legislature by Governor Kinkead is known to be the work of that enthusiastic political vagabond, Hon. Robert M. Clarke. The invention of this bill is all the more notable in view of the fact that Mr. Clarke is very pronounced in his denunciation of the Lewis bill (which seeks the same purpose as his own), as "unconstitutional."

Now the *MORNING APPEAL* has no preference for authors in this matter of concocting railroad bills. What we want is a bill which will prevent the railroads from oppressing our people; and if Bob Clarke presents the best bill, let us not hesitate to recognize it as such and pass it.

But has he devised a better bill than that which was drawn up by Judge Lewis?

The gist of this measure of Clarke's lies in the First and Third sections thereof. They are as follows:

SECTION 1. In all cases the owner or consignee of one or more car-loads of goods or freight shipped by rail shall have the absolute right, with additional charge, to demand the stoppage and delivery of such goods or freight at any immediate station within this State where goods or freight are ordinarily discharged between the point of shipment and destination; and it shall be the duty of all railroad companies owning or operating any railroad in or through this State, whether such road has its termini within or without the State, to stop, unload and deliver such goods or freight at any regular station within this State upon the owner or consignee, notwithstanding such goods or freight may have been shipped or consigned to a point beyond and without this State and a greater distance from the point of shipment than a point at which stoppage and delivery is required.

SEC. 3. It shall be a sufficient notice of demand under this Act, five days before the arrival of the goods or freight at the station where it is desired to be delivered, to enclose in an envelope and deposit in the Postoffice, addressed to the Superintendent of the company, at the principal office of the company, a written request and demand showing the name of the owner and consignee, the description of the goods or freight, the point of shipment, the place to which shipped and the place to which the owner or consignee desires the goods or freight stopped, unloaded and delivered; or it shall be sufficient to serve such notice personally on the conductor or person in charge of the train carrying such goods or freight.

The gist of the Lewis bill resides in section One, which reads as follows:

SECTION 1. It shall be unlawful for any person, persons, company or corporation engaged in carrying or transporting property by railroad from points beyond the boundaries of this State to any point within this State, or from within this State to points without the same, to carry or transport such property beyond the place of its final destination within this State; or to carry any such property in any direction other than that of its final destination; or any greater distance than is actually necessary to enable such person, persons, company or corporations to deliver such property at its destination, or terminus of such railroad.

Now it seems to us that this is very much more direct and very much less obnoxious to the charge of clashing with that Clause of the Constitution of the United States which deals with "inter-State commerce" than Mr. Clarke's bill, as quoted. The Lewis bill declares it unlawful for the carrier to take the consignee's goods beyond their place of destination; and certainly if what Mr. Clarke proposes to do can be done, what Mr. Lewis proposes to do can also be done. The Lewis bill has the very great and essential advantage of simplicity. Clarke's bill seeks to do by roundabout and intricate courses what the Lewis bill seeks to do with explicitness and in a mandatory way. Lewis proposes to put a stop to the hurtful and unjust practice of shipping our merchants' goods to points beyond their destination; Clarke attempts to vest the Nevada merchant with the power to arrest his goods while they are in transit under the seal and sanction of a bill of lading and in a locked car bound for San Francisco. Clarke seeks to invest individuals with extraordinary rights toward the railroad company; Lewis, with more force, seeks to lay down a general law for the restraint of the company. The latter method seems to us to be greatly the stronger.

We think Governor Kinkead has made a mistake. The Assembly has already passed the Lewis bill. We trust that the Senate may give that measure their sanction. Such is the simpler method. Any bill that we may pass attempting to govern the Central Pacific must take its chance of being unconstitutional. Certainly, there can be no question that the Lewis bill is much more practical and operative than the Clarke bill. Let the Senate, then, pass the Lewis bill as it came from the House; and "let not a multitude of counsels divert your attention from the demand of the people of Nevada for relief from the evils complained of."

P. S.—The all-absorbing Haines bill has come, like Jonah's gourd, to swallow all other bills; and we seem to have wasted our sweetness on the desert air.

FIRE AT SILVER CITY.—A fire broke out yesterday morning in a Chinese washhouse in Silver City, and before the flames could be arrested sixteen buildings were destroyed. The Miners' Union lost all their books. The heaviest losers are Mrs. Drysdale (lodging house), Philip Geyer (brewery), and Strouse & Getz (butchers). Total loss about \$50,000. The Legislature yesterday promptly passed a relief bill for the sufferers, donating \$2,500.

"CIVIL ENGINEER" ON RAILROADS AGAIN.

EDITOR APPEAL: The Virginia *Chronicle* of the 1st instant published a list of nearly all the railroads, partly or wholly in Pennsylvania, whose officers had made sworn reports of the charge and cost of freight and passenger transport on their respective roads in 1869. It will be seen that the cost of transport varied from 86-100 of a cent to 1 cent per ton per mile for coal, and 96-100 of a cent for freight, to 2 cents per ton for freight which was the highest. The charges run for freight from 3 72-100 to 1 41-100 cents per ton per mile, and for coal from 1 1/2 to 3 cents.

It was said in the *Chronicle* that these fares and freights would appear comparatively reasonable to us, yet there was great complaint in the East over them, and that they were continually and considerably reduced from 1870 to 1876. As proof of the complaints read the following. In July, 1870, a New York journal of engineering, etc., said: "The necessity of cheap transit, both for passengers and merchandise, is daily becoming more pressing, and, unfortunately, just as this necessity becomes more apparent, so do the corruption and the arrogance of our railroad companies increase. Indeed, to such an extent does venality exist among the personnel of our great railroad corporations, that the public tacitly entertain the opinion that the fact that a man is a prominent railroad director is *prima facie* evidence against his character. Nor will this conclusion be deemed so very illogical if we consider fully the ground upon which it is based. A man is in general chosen to a position because he is fitted to perform the work required of him in connection with it. The history of railroads in this country would lead to the conclusion that the willingness and ability to corrupt our legislators, bribe our judges, and cheat generally, are essential qualifications for a railroad director, and it is fair to presume that those who have chosen the men who form our boards of railroad directors not only knew what was wanted but were able to secure it. What has the history of the New York Central been but the history of legislative corruption in this State? Has not the Pennsylvania Central boasted that they *owned* the Legislature of that State, having bought them and paid for them? And has not the overpowering influence of certain railroad corporations rendered our sister State of New Jersey a by-word and a reproach, taking away not only her good name but her entire name, and substituting therefor that of the State of Camden and Amboy?"

The writer then expresses the opinion that the next question to be met will be one based not on Democracy against Republicanism, or Catholic against Protestant, or foreigner against native, but of the people at large against the powerful corporations.

Now what was the result? Hon. H. S. Mason, in his speech at the Carson Opera House, is reported in the *Carson Tribune* of February 4th to have said: "In Connecticut 1/2, in Massachusetts 4/5, Pennsylvania 5, Ohio 6 1/2, and in the great State of New York with its teeming millions only 3 1/2 cents per ton per mile is paid for freight. The average per ton per mile in all these States is 5 cents." The New York Central charges but 1 41-100 cents per ton per mile, the Albany 1 38-100, and the great Illinois Central 1 1/2.

From an editorial in the *Tribune* of the same date we get the same figures as for the years 1874 and 1875, with Maine put in at 4 1/2 cents. I am afraid Mason and the *Tribune* have lost or buried their little hatchet. From a bushel of proof take the following: Now, Mr. Editor, turn to page three of Poor's Railroad Manual of the Railroads of the United States and read: "This increase (of freight earnings) is wholly due to the great reduction in the rates of transportation. This reduction has been steadily going on for the last five years. In Massachusetts—which presents a fair average for all New England—the reduction has been from 3.11 cents per ton per mile in 1871 to 2.04 per ton per mile in 1876. In Ohio, which also presents a fair average for the Western States, the reduction has been from 1.82 cents per ton per mile in 1871 to 1.12 per ton per mile in 1876. In New York, which fairly represents the Middle States, the earnings per ton per mile have decreased from 1.77 cents in 1871 to 1.19 cents in 1876." Note, these are all *greenback* prices. "Yet with this enormous reduction in the rates of transportation, the railroads have yielded for 1876 a net return of over 3 per cent. on the capital invested;" and the opening sentence of his manual is as follows: "Though the past year has been one of great depression in the railway, and in all the other interests of the country, the aggregate results of their operations have been fairly satisfactory." I should think so, when scarcely any other business paid anything, and thousands and tens of thousands of failures were occurring all around in every branch of business. Besides, as Poor says, from 1870 on they had built 4,000 miles of railroad annually when 2,000 would have been extravagant, and there was great competition in 1876.

Read the following. Charles Francis Adams, Jr., A. D. Briggs and Francis M. Johnson, Railroad Commissioners, state the following facts in an article on the "Freight Competition of 1876," published in Van Nortstrand's *Electric Engineering Magazine*: "Between the 3d of May and the 14th of June fare between Boston and Chicago, over the New York Central, fell from \$25 85 to \$14, and

that on the Grand Trunk from \$23 85 to \$12 50, while between Boston and Chicago freights on articles of first-class fell from 75 cents per hundred pounds to 20 cents; and those on agricultural products from Chicago to New York fell from 50 cents per pound to 18 cents—public rates. Special rates were far more favorable to shippers. For six months the spectacle was witnessed of railroads hauling merchandise 1,013 miles east for \$3 60 per ton. In one case 3 1/2 mills per ton per mile, and in the other 2 8-10 mills per mile. As a regular thing a ton in weight was moved 450 miles from Buffalo to New York for \$1 50 (one-third of a cent per ton per mile), whereas in the early part of the century it would have cost \$100 (by teams, and would now cost on the Virginia and Truckee \$90). This was claimed to be remunerative." **CIVIL ENGINEER.**
Virginia City, March 3, 1879.

NEW ADVERTISEMENTS.

NOTICE TO CREDITORS.

ESTATE OF JAMES W. NYE AND WIFE
Notice is hereby given by the undersigned, administrator of the estate of James W. Nye and wife, both deceased, to all persons having claims against said deceased, to exhibit them with the necessary vouchers within ten months after the first publication of this notice, to the said administrator, at the office of T. Coffin, attorney at law, in Carson City, Nevada, in said County of Ormsby.
Dated at Carson City, Nev., March 5th, 1879.
ALFRED HELM,
Administrator of estate of James W. Nye and wife, both deceased.
T. COFFIN, Attorney for estate. law7m5

OPERA HOUSE.

Under the management of CHAS. E. LOCKE, proprietor of Bush Street Theater, San Francisco.

THURSDAY, MARCH 6, 1879.

EN ROUTE EAST, AFTER TWENTY
years unintermitted success on the coast, closing last Sunday before an audience of 15,000 people at Woodward's Pavilion, San Francisco.

HAVERLY'S
HAVERLY'S
HAVERLY'S
(Formerly Callender's)
The Great ORIGINAL TROUPE
OF
GENUINE SOUTHERN NEGROES!
J. H. HAVERLY, PROPRIETOR.

6 END MEN! 20 ARTISTS!
6 BANJO SOLOISTS! 6
6 SONG AND DANCE MEN! 6
6 ESSENCE DANCERS! 6
12 GREAT COMEDIANS! 12

The comic "Bogtown Quartette."
The "Bungalo Brigade."
The "Canbrake Spectres."
The "Hamtown Quartette."
The "Assault of the Skidmores," Etc.
PRICES AS USUAL. Reserved seats secured without extra charge at the Opera House Saloon.

CARSON MILL CO.

HAVING PURCHASED THE PLANING
Mill in this city, formerly owned by the Glenbrook Mill Company, we have added a large variety of saw-working machines, and have now the

Most Complete Mill in the State.

We are prepared to do all kinds of work done in a first class mill. Can manufacture 20,000 feet of flooring, ceiling or rustic per day.
Mouldings, Brackets, Turned-work, Scroll work and all sorts of Ornamentals Made to Order.

Furniture made and repaired. Plans and Specifications for Wood, Brick or Stone Buildings furnished. Contracts for building and repairing taken. All Work Guaranteed.

Orders from the town or country can be left at the Mill or at the office of E. M. HUNT, Lake Tahoe Lumber Yard.
Address: CARSON MILL CO.,
E. M. HUNT,
C. H. MASON,
Carson City, Nevada.
Carson City, February 28, 1879.

LAKE TAHOE LUMBER YARD.

E. M. HUNT, - - - Proprietor

KEEPS CONSTANTLY ON HAND

Clear and Common Lumber, of all kinds. Doors, Windows and Blinds. Mouldings, Pickets and Shingles. Door and Window Hangings and Fastenings. Screws, Wire Cloth, Etc., Etc.

Which I sell cheaper than can be bought at any other place in the State.
Orders delivered in all parts of the city free.
Carson City, February 28, 1879.

FRENCH RESTAURANT.

Opposite the Passenger Depot.

THIS IS THE ONLY PLACE IN THE
City where no Chinamen are employed.

DINNERS AND SUPPERS

Gotten up in the Finest Style for Entertainments of all kinds.

The Proprietor does his own cooking, and having had many years' experience in that department, feels certain he can at all times give satisfaction.

FRESH GAME

FISH.

Of every description always on hand.

25 Private Rooms for those desiring the same. 25

Meals at all Hours and all Prices.

E. ESCALET, Proprietor.

February 25th, 1879.

FURNISHED ROOM TO LET.

A NICE, WELL FURNISHED ROOM IN a desirable part of town, can be rented on reasonable terms by a permanent lodger. Apply at this office.
February 13, 1879

N. THORSON,

AGENT FOR HENRY STEEL, OF SAN FRANCISCO.

Is stopping at the Ormsby House, Room 4.

Where he has a choice selection of the FINEST WOOL-ENS, of foreign importation, for the ensuing season. Those who appreciate Fine Goods and good style will do well to call on Mr. Thorson. This House is well and favorably known all over the coast.

Mr. Thorson also measures and receives orders for

Howard Black, the Shirt Manufacturer.

February 21, 1879.

SPECIAL NOTICE.

Great Reduction in Prices, owing to the decline in the Eastern Market.

E. B. RAIL,

OPPOSITE CAPITOL BUILDING, CARSON.

IMPORTER AND WHOLESALE AND Retail Dealer in

HARDWARE,

Iron, Steel, Coal, Rope, Powder, Shot, Fuso, Wedges, Axes, Saws, Cutlery, Blodges, Anvils, Vices, Bellows, Lace Leather

GLASS AND CROCKERY WARE,

Bar Fixtures, China Sets, Lamps, Chandeliers, Mirrors, Lanterns, Etc. Etc., Etc.

Agricultural Implements,

Plows, Harrows, Gang Plows, Reapers, Mowers, Wheat Reapers, Cultivators, Etc., Etc.,

Paints, Oils & Brushes,

Coal Oil, Paint Oil, Turpentine, Varnish, White Lead, Rubber Paint, Chemical Paint, Lard Oil, Machine, Castor, Neats Foot Oil, Alcohol, Etc., Etc.,

STOVES, RANGES, TINWARE,

Medallion and Laurel Ranges, Buck's and other Brands of Stove

Pumps, Hose and Pipe, Doors, Windows, Blinds and Glass, Wood and Willow Ware, Bird Cages, Pistols, Guns, Cartridges, Water, Gas and Lead Pipe.

House Furnishing Goods.

Brass and Steam Goods.

Practical Plumbers and Tanners to do roofing and manufacturing of all kinds Tin and Iron Ware

Call and Get Prices—Cheap for Cash.

E. B. RAIL.

CARSON CITY SAVINGS BANK

BANKERS, BROKERS AND FIRE INSURANCE AGENTS.

CARSON CITY, - - - NEVADA.

MINING STOCKS BOUGHT AND SOLD ON COMMISSION.

25 Liberal Margins allowed on Approved Stocks. 25

San Francisco Correspondent, Latham & King

Carson September 1, 1877.

CARSON CITY BREWERY.

King street, Carson City.

JACOB KLEIN

PROPRIETOR.

THE VERY BEST QUALITY OF LAGER BEER

Made on the Pacific Coast or anywhere. Orders promptly attended to.

The saloon is constantly supplied with the finest brands of

WINE, LIQUORS AND CIGARS.

25 GIVE ME A CALL. 25

JACOB KLEIN

NOTICE TO LIENHOLDERS.

IN THE DISTRICT COURT OF THE

Second Judicial District of the State of Nevada, in and for the County of Ormsby.

Oliver Lonkey and E. R. Smith, copartners, trading as The Verdi Planing Mill Company, plaintiffs, vs. Frank Cook and J. H. Miller, copartners, trading as Cook & Miller, and Carson Opera House Association, a corporation, defendants.

Notice is hereby given that the above-named plaintiffs have commenced an action in said Court against the defendants above named to foreclose a mechanic's lien held and owned by plaintiffs against defendants and the following described property, situate in Carson City, Ormsby County, State of Nevada, to wit: Commencing at the southeast corner of Spear and Carson streets, running thence south, with the east line of said Carson street, forty-nine (49) feet; thence easterly, at right angles, one hundred and twenty (120) feet; thence, at right angles, northerly, forty-nine (49) feet, to the south line of Spear street; thence, at right angles, westerly with Spear street, one hundred and twenty (120) feet to the place of beginning; being in Block Fort-two (42) of Musser's subdivision of Carson City. Said lien is held and claimed under and by virtue of the provisions of an Act of the Legislature of the State of Nevada, approved March 2, 1875, entitled, "An Act to secure liens to mechanics and others, and to repeal all others Acts in relation thereto."

All persons claiming liens on said premises under said Act are hereby notified to be and appear before said District Court, at the Court-room thereof in said Carson City, on SATURDAY, THE 30th DAY OF MARCH, A. D. 1879, at 10 o'clock A. M., and there to exhibit the proof of their said liens. All liens not so exhibited shall be deemed to be waived in favor of those which are so exhibited.

LEWIS & DEAL, Attorneys for Plaintiffs.

February 14th, 1879.

IN THE SECOND JUDICIAL DISTRICT

of the State of Nevada, in and for the County of Ormsby.

G. W. Mathews vs. His Creditors: Notice to creditors of Insolvent. Pursuant to an order of the Hon. Samuel D. King, Judge of the said District Court, notice is hereby given to all the creditors of the said insolvent, G. W. Mathews, to be and appear before the said Judge, at Chambers, on the 15th day of March, 1879, at 10 o'clock A. M., to show cause, if any they can, why the prayer of said insolvent should not be granted, and an assignment of his estate be made, and he be discharged from his debts and liabilities, in pursuance of the statute in such case made and provided, and in the meantime all proceedings against said insolvent be stayed.

Witness my hand and the Seal of said Court this

11th day of February, A. D. 1879.

J. H. MARSHALL, Clerk.

Feb 12th